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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,109	11/18/2003	Christopher J. Cookson	3053-064	6117

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NEW YORK, NY 100160601

EXAMINER
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TRAN, THANG V

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/716,109

Applicant(s)

COOKSON ET AL.

Examiner

Thang V. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

The amendment dated 07/29/05 has been considered with the following results:

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 7-10, 15, 17, 19, 21 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakase et al (US 5,563,855 cited by Applicant).

Regarding claims 1, 10 and 19, see Figs. 1, 9, 16, 20, 24 or 28 of Nakase et al which describes an optical disc player for reading an optical disc (115) having a first side and a second side, each side having a respective first data layer (see Figs. 8 and 9), wherein data is arranged on the first side along a first spiral oriented in a first direction, and wherein data is arranged on the second side along a second spiral oriented in a direction that is opposite the first spiral when viewed on the respective sides (see Figs. 8 and 9), the optical disc player comprising: a first laser head (106) for reading data from the first side; a second laser head (112) for reading data from the second side; a laser head controller (see circuit 104, 126, 105, 110, 127, 111) for that controls the accessing movement of the laser heads to position the laser heads independently from each other along respective sides of the disk to provide random access to any data segment on the disk; and a motor (116) for rotating the disc.

Regarding claim 4, see column 7, lines 27-34, for limitation recited in this claim.

Regarding claims 7 and 8, see Figs. 13 and 29 for the limitations as recited in these claims.

Regarding claim 9, respective disclosure of Fig. 30 for limitation recited in this claim.

Regarding claim 15, see reproduced signal processor in Fig. 1, 9, 16, 20, 24 or 28 for limitation recited in this claim.

Regarding claims 17 and 21, see column 7, lines 27-34, for limitation recited in these claim.

Regarding claim 23, see circuits 112 and 117 for limitation recited in this claim.

3. Claims 1-6 and 10-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Mitzutani et al (US 4,807,204).

Regarding claim 1, see Fig. 24 which describes an optical disc player for reading an optical disc (370) having a first side and a second side, each side having a respective first data layer (372a-372n or 374a-374n), wherein data is arranged on the first side along a first spiral oriented in a first direction, and wherein data is arranged on the second side along a second spiral oriented in a direction that is opposite the first spiral when viewed on the respective sides (see column 21, lines 44-55), the optical disc player comprising: a first laser head (376) for reading data from the first side; a second laser head (382) for reading data from the second side; a laser head controller(not shown in Fig. 24, but see step motors in shown in Figs. 12-17) for that controls the accessing movement of the laser heads to position the laser heads independently from each other along respective sides of the disk to provide random access to any data segment on the disk; and a motor (see motor shown in Fig. 12 or 24) for rotating the disc. Note: the heads

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376 and 382 must be controlled independently from each other since recorded information from first and second layers information can also be readout one after another by the optical head 376 and 382 as disclosed in column 22, lines 16-21.

Regarding claim 2, see disc (370) has two layers (372a-n) on the first side and wherein the first laser head (376) reads data from the two layers on the first side.

Regarding claim 3, see disc (370) has at least two data layers (372a-n or 374a-n) on each side and the lasers (376, 382) read data from the at least two data layers on each side.

Regarding claim 4, see the laser heads (376 and 382) read data from the first and second sides substantially simultaneously (see column 22, lines 16-22).

Regarding claim 5, see the laser heads (376 and 382) read data from the first and second sides sequentially (see column 22, lines 16-22).

Regarding claim 6, see the laser heads (376 and 382) read data from the first and second sides in an alternating fashion (see column 22, lines 16-22).

Regarding claim 10, see the rejection applied to claim 1 above.

Regarding claim 11, see disk (370) having least one side includes a top and a bottom layer, each layer having a respective track of data (372 and 374).

Regarding claim 12, see disk (370) having each side includes a top and a bottom layer and each layer having a respective track of data (see layer 372a-n for one side and layer 374a-n for another side).

Regarding claim 13, see column 21, lines 44-55 for the limitation of data is arranged in a sequence starting on one layer of said first side and ending on another layer of said second side. Also, see data arrangement in Figs. 22 and 23.

Regarding claim 14, see column 21, lines 44-55 for the limitation of data arranged in sequence starts on the top layer of said first side and ends on the top layer of said second side. Also, see data arrangement in Figs. 22 and 23.

Regarding claim 10, see the reading of data by said laser heads controlled by a processor (control device).

Regarding claims 16-18, see column 22, lines 16-22, for limitations recited in these claims.

Regarding claim 19, see the rejection applied to claim 1.

20. The method of claim 19 wherein data is read in sequence from said first side and then from said second side.

Regarding claim 20-25, see column 21, line 44 to column 22, lines 16-22, for limitation recited in these claims.

Note: See Fig. 12-14 also because they can also be used for reading information.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claimed invention have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

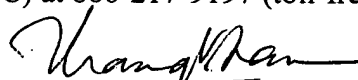
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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thang V. Tran whose telephone number is (571) 272-7595. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thang V. Tran  
Primary Examiner  
Art Unit 2653